

Mental-Health Hold: Nursing Documentation Can Be Crucial.

A recent case from the California Court of Appeal pointed out the importance of good documentation by a patient's nurse.

The patient was able to get necessary mental health treatment and the patient's caregivers were able to defend against the patient's lawsuit after the fact.

The patient's nurse, filling out the papers for the 72-hour involuntary mental-health hold, noted the patient was confused and disoriented and did not even know her own address. Her memory was fair to poor and she was argumentative and paranoid.

All the nursing and mental health personnel involved acted in good faith

CALIFORNIA COURT OF APPEAL
February 15, 2007

Caregivers who provide input or otherwise participate in implementing an involuntary mental-health hold are, by law, immune from a patient's lawsuit after the fact, if they acted in good faith based on how they realistically perceived the patient's condition at the time.

In this case the basic data came from the hospital nurses who charted the sharp deterioration of her mental status post-surgery, in their judgment requiring her to be held and treated as a psychiatric case even if she did not expressly consent.

The court ruled irrelevant the argument her mental condition could have just been a reaction to pain medication. If she was gravely disabled, she needed to be held and cared for. ***Skobin v. Cunningham***, 2007 WL 475756 (Cal. App., February 15, 2007).